

UNITED STATES COAST GUARD

Address Reply to:
COMMANDANT
U. S. Coast Guard
Headquarters
Washington 25, D. C.

MVI
5 December, 1950
(THERESA A. a-1 Bd)

From: Chief, Merchant Vessel Inspection Division
To: Commandant
Via: Chief, Office of Merchant Marine Safety

Subj: Marine Board of Investigation into disappearance of fishing vessel
THERESA A., with all persons on board, off the Atlantic Coast
September, 1950.

1. Pursuant to the provisions of Title 46 CFR, Part 136, the record of the Marine board convened to investigate subject casualty, together with its Findings of Fact, Opinions, and Recommendations, has been reviewed and is forwarded herewith.

2. The motor vessel THERESA A., as ascertained from the records of the Bureau of Customs, was formerly the QS 56, an Army 104th aircraft rescue boat, built in 1944 at Atlantic City, N. J. This vessel, after private purchase and conversion, was documented for the mackerel fishery on 17 May, 1950. The THERESA A. departed from Fairhaven, Mass., on 9 September, 1950, and was last sighted fishing on Georges Bank, approximately 100 miles E X N of Nantucket Lightship. At 1920, 12 September, 1950, the THERESA A. sent a radio message that she was in distress and at 1957 sent another message stating that the vessel was being abandoned. After a thorough search, no trace of the vessel or its personnel have been found and it is presumed that the THERESA A. foundered with the loss of all persons on board. Very severe weather conditions prevailed in the vicinity of the THERESA A. from 11 to 13 September. One fishing vessel skipper on the scene reported that on 12 September very heavy seas prevailed with a N X NE wind reaching a velocity of approximately 55 miles per hour.

3. As a result of this casualty, it is presumed the following crew members lost their lives:

Frank Airhart, Skipper and half-owner	Frank Berry
John Cole	Ernest Rich
Peter Kouscoros	Lamond M. White
John Hogland	Fred E. Williams
Herbert Orpin	Francis C. J. Martens
James Ledwell	Chester Szczepan

4. The Board made the following Findings of Facts:

*1. That the THERESA A. of New York, N. Y., official number 253485, of 138 gross tons, was owned by Frank Airhart and Anthony Zegarowski, and that the Reconstruction Finance Corp. held a mortgage on same.

2. That the THERESA A. departed Fairhaven, Mass., on September 9, 1950 for the fishing grounds on Georges Bank.

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3. That the THERESA A was last sighted on the morning of September 11, 1950 at about 1000 Queen on Georges Bank about 100 miles ExN of Nantucket Lightship fishing in company with other fishing vessels.
4. That the THERESA A communicated with WOU at 1920 Greenwich time, September 12, 1950, advising of distress, ship sinking and taking to dories.
5. That at 1957 Greenwich time, September 12, 1950 the THERESA A communicated with WOU, advising of abandoning ship with one dory, twelve men aboard.
6. That WOU advised Search and Rescue Control Center, First Coast Guard District, Boston, Mass., at 1527 Queen, September 12, 1950 that the fishing vessel THERESA A was in distress.
7. That prompt action was taken and a plane dispatched from Salem, which arrived in the distress area before dark.
8. That the DEXTER, EASTWIND and COOS BAY were promptly ordered to proceed, and immediately plans for an extended search by sea and air were made.
9. That a marine broadcast was made and several merchant vessels proceeded to the vicinity and searched.
10. That adverse weather conditions hampered vessels in reaching the scene.
11. That the COOS BAY and the DEXTER reached the area expeditiously and commenced searching on September 13, 1950 with several planes and the search was continued until September 16 when the case was closed.
12. That on September 13, 10440 square miles were searched by seven planes and two cutters.
13. That on September 14, 8230 square miles were searched by seven planes and two cutters.
14. That on September 15, 2880 square miles were searched by five planes and two cutters.
15. That on September 16, 1700 square miles were searched by two planes and one cutter.
16. That the marine broadcast was continued for several days.
17. That the most probable area for any survivors was thoroughly searched with negative results.

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18. That the search was re-opened and the CASTLE ROCK diverted on re-
turning to port to make a search through the area on September 19, 1950
with negative results.
19. That this casualty was within the scope of rescue operations of the
Coast Guard.
20. That communication difficulties were encountered which did not affect
the conduct of this case.
21. That varying weather conditions prevailed during the search.
22. That U. S. Weather Bureau information was broadcast at regular pre-
scribed periods by Radio Green Harbor WOU and Coast Guard Radio, Boston,
NMF, for marine purposes.
23. That some weather information was also available from commercial
broadcast stations.
24. That high winds with accompanying high seas prevailed in the vicinity
of the THERESA A for an appreciable period from September 11 to September 13,
1950.
25. That small craft were cautioned to remain in port for the next thirty-
six hours on weather forecast released for broadcast at 0311 Zebra,
September 11, 1950.
26. That NE storm warnings were displayed from Cape Ann to Block Island
at 5:00 a.m., September 11 and remained hoisted until 1:00 p.m., September 13.
27. That the storm area in connection with the hurricane ranged over a
wide area.
28. That the master of the LUBENRAY reported very heavy seas, waves very
large, N NE winds, fifty-five m.p.h., at 6:20 p.m., September 12.
29. That the master of the LUBENRAY after evaluating the situation upon
receipt of storm warnings decided it would be safe to stay in his present
position because he had plenty of room to drift.
30. That the LUBENRAY, which was in the vicinity of the THERESA A, rode
out the storm successfully, and that other vessels fishing in the vicinity
eventually reached port safely and that the LUBENRAY was unable to proceed
promptly to the scene of distress due to adverse weather conditions.
31. That the THERESA A was originally designed for other than fishing.
32. That the vessel was equipped with radio telephone and loran.

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33. That the dory handling gear was defective prior to the last trip.
 34. That the THERESA A was equipped with two life rafts and two dories.
 35. That life preservers were carried on board.
 36. That the hand bilge pump was not operating prior to the last trip.
 37. That the method of securing the main hatch was not in accordance with standard practice in that no metal bars were provided.
 38. That the engine room bulkheads were tight when the vessel was in the shipyard during January 1950.
 39. That the visible ballast was not secured.
 40. That the THERESA A had one bilge pump connected to the main engine and one electrically driven auxiliary bilge pump.
 41. That Urbanus Stange was the last master of record, which was recorded at the Custom House, New Bedford, Mass., on August 15, 1950. It is to be noted that Stange, the master of record, appeared as a witness before this board.
 42. That the M/V SEA RANGER lost her dories during this storm.
 43. That no trace of the THERESA A or survivors was found."
5. The Board expressed the following Opinions:
- (1) That Frank Airhart, owner of the THERESA A, was mate and Thorlief Thompson was master on the last previous trip.
 - (2) That Frank Airhart being an owner of the vessel was master of the THERESA A on this particular voyage.
 - (3) That the structural members of the hull were in apparently good condition.
 - (4) That there was a tendency for some slack practices in the routine operation of the THERESA A on the part of the various masters on previous trips.
 - (5) That it was possible for water to enter the vessel and that the past general operation and management was not in accordance with the practices of good seamanship.
 - (6) That weather information was broadcast sufficiently in advance for fishing vessels in the vicinity of Georges Bank for them to take some precautionary measures.

- (7) That the vessel foundered due to conditions arising out of the bad weather which prevailed.
- (8) That the crew of the THERESA A did not abandon ship successfully due to the state of the weather.
- (9) That the following men composed the crew of the THERESA A:

Captain Frank Airhart, 657 Cottage St., New Bedford, Mass.
John Cole, 1 Amity Lane, Warwick, R. I.
Peter Kouscouros, 948 South Water St., New Bedford, Mass.
John Hogland, 55 Hemlock St., New Bedford, Mass.
Herbert Orpin, 123 Orange St., Nantucket, Mass.
James Ledwell, 21 Temple Place, Fairhaven, Mass.
Frank Berry, 58 Mechanic St., Camden, Maine
Ernest Rich, 4 State St., Rockland, Maine
Leonard M. White, 4 State St., Rockland, Maine
Fred E. Williams, Scarborough, Maine
Francis C. J. Martens, 53 Kenyon St., New Bedford, Mass.
Chester Szozopan, 72 Hathaway St., New Bedford, Mass.
- (10) That the above-named crew members are presumed to have been lost on or about September 12, 1950.
- (11) That all reasonable measures were taken to locate and render assistance to the THERESA A.
- (12) That facilities and equipment were adequate to cope with the situation.
- (13) That the position given by the THERESA A in her distress message was fairly accurate.
- (14) That the search conducted for the THERESA A and survivors was thorough and adequate.
- (15) That no persons attached to the Coast Guard or other agency of the Government caused the casualty.
- (16) That no member of the Coast Guard was guilty of any neglect or misconduct.
- (17) That the two dories sighted did not belong to the THERESA A inasmuch as the master reported that they were abandoning ship with one dory.
- (18) That facilities to handle press relations were inadequate but had no bearing on the conduct of the case.
- (19) That all vessels engaged in the fisheries be subject to the laws governing inspection of vessels by the United States Coast Guard."

6. The Board made the following Recommendations:

1. That all vessels propelled by internal combustion engines licensed for commercial fishing be brought under existing regulations for merchant vessels.
2. That a study be made of weather information surrounding the hurricane of September 11 to determine whether earlier forecasts can be given in the future to assist shipping off the New England Coast.
3. That the fishing industry be advised of the desirability of painting boats and rafts International Orange.
4. That standby equipment for handling distress communications in the Comcenter be evaluated and improved.
5. That facilities for handling press relations by the district office during serious distress cases be evaluated and improved.
6. That pending approval by the reviewing authority no further action be taken and the case be closed.⁹⁹

REMARKS

7. Opinion 19 of the Board states that all vessels engaged in the fisheries should be subject to the laws governing the inspection of vessels by the United States Coast Guard and Recommendation 1 of the Board states that all vessels propelled by internal combustion engines licensed for commercial fishing should be brought under existing regulations for merchant vessels.

8. From the record it is not clear whether or not the application of merchant vessel safety requirements to the THERESA A. would have prevented her loss. The record does not contain any description of the THERESA A. or information with respect to her seaworthy characteristics, such as strength, subdivision, stability, draft, freeboard, etc. The record does show, however, that the THERESA A. was skippered by a holder of an unlimited chief mate's license and that the material condition of the vessel was satisfactory.

9. From information available in the record of investigation, together with information obtained from the Department of the Army, with respect to the construction and characteristics of the THERESA A., it would appear that due to her shallow draft and high freeboard, defective steering arrangement, hatch covering and unsecured ballast, the THERESA A. was caught in the trough of the sea from which she could not extricate herself and was overwhelmed by either the shifting of the unsecured ballast or the entrance of water through the defective hatch or both.

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10. Congressional bills for the extension of the marine safety statutes to fishing vessels as suggested by Recommendation 1 of the Board already are before Congress for consideration and are as follows:

- (a) H. R. 464 - a bill to apply the marine safety statutes and regulations thereunder to all motor-propelled vessels.
- (b) H. R. 3254 - a bill to extend the marine safety statutes and regulations thereunder to seagoing motor-fishing vessels of 15 gross tons or over.

11. Recommendation 2 of the Board states that a study should be made of weather information surrounding the hurricane of 11 September to determine whether earlier forecasts can be given in the future to assist shipping off the New England coast. A copy of this report will be referred to the Department of Commerce for the attention of the Weather Bureau and for such action as may be appropriate in view of the recommendation of the Board.

12. The recommendation of the Board that the fishing industry be advised of the desirability of painting boats and rafts International Orange is fully concurred with. Since there is no legal authority to require the fishing industry to paint boats and rafts International Orange, action in this direction can be best brought to the attention of the fishing industry by appropriate personnel under the jurisdiction of the District Commander.

13. The evaluation and improvement of the handling of distress communications in the Comcenter and the handling of press relations by the District Office, as indicated in Recommendations 4 and 5 of the Board, are matters more appropriately under the jurisdiction of the District Commander, following which appropriate recommendations, if necessary, may be made to HQ.

14. Subject to the foregoing remarks, it is recommended that the Findings of Fact, Opinions, and Recommendations of the Marine Board of Investigation be approved.

/s/ EDW. C. CLEAVE
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24 January, 1951
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From: Chief, Office of Merchant Marine Safety
To: Commandant

Forwarded, recommending approval.

/s/ H. C. SHEPHEARD
H. C. SHEPHEARD

APPROVED: January 26, 1951

/s/ MERLIN O'NEILL
MERLIN O'NEILL
Vice Admiral, U. S. Coast Guard
Commandant